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I hereby certify that this paper, and the papers and/or fees referred to herein as transmitted, submitted or enclosed, are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Name: ELAINE WEISBECK

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. RU-0173

Applicant: Chen, et al.

Serial No.: 09/992,860

Filed: February 14, 2001

For: BLACK TEA EXTRACT FOR PREVENTION OF DISEASE

Group Art Unit No.: 1654

Examiner: Flood, Michele C.

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR FIVE MONTH EXTENSION OF TIME

Dear Sir:

A Notice of Appeal was filed on June 17, 2004 in response to the Office Action of December 17, 2004. Accordingly, Applicant hereby petitions the Commissioner pursuant to 37 C.F.R. § 1.136(a) to extend the time for a response by five months. With the extension, the response is due on or before January 17, 2005.

The Commissioner is hereby authorized to charge the fee under 37 CFR 1.16 and 1.17 required by this paper to Deposit Account No. 18-0586.

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January 14, 2005

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Respectfully submitted,

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